

scallops was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

Misbranding of the oysters was alleged for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the label, was false and misleading in that the said statement represented that each of the cans contained not less than 1 gallon of oysters, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained not less than 1 gallon of oysters, whereas each of the cans did contain less than 1 gallon of oysters. Misbranding of the said oysters was alleged for the further reason that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1926, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$75.

W. M. JARDINE, *Secretary of Agriculture.*

15346. Adulteration of scallops. U. S. v. Archie S. Doughty. Plea of guilty. Fine, \$50. (F. & D. No. 19771. I. S. Nos. 6191-x, 8010-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Archie S. Doughty, Quinby, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about February 2, 1926, from the State of Virginia, in part into the State of Pennsylvania, and in part into the State of New York, of quantities of scallops, which were adulterated. The article was labeled in part: (Tag) "From Archie S. Doughty * * * P. O. Quinby, Va."

It was alleged in the information that the article was adulterated in that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

On November 12, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

15347. Adulteration of scallops. U. S. v. Stanley F. Wallace. Plea of guilty. Fine, \$50. (F. & D. No. 19786. I. S. Nos. 8103-x, 8104-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Stanley F. Wallace, Quinby, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about February 2, 1926, from the State of Virginia into the State of New York, of quantities of scallops which were adulterated. The article was labeled in part: (Tag) "From S. F. Wallace * * * Quinby, Va."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted therefrom.

On November 12, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

15348. Adulteration of shell eggs. U. S. v. Rosser L. Mickelborough. Plea of guilty. Fine, \$50. (F. & D. No. 19770. I. S. No. 4970-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rosser L. Mickelborough, Bohannon, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about March 2, 1926, from the State of Virginia into the State of Maryland, of a quantity of eggs, which were adulterated. The article was labeled in part: "R. L. Mickelborough."

Examination by this department of 1 case containing 360 eggs showed 127, or 35 per cent, inedible eggs.